



PATENT

Docket No.: 19603/3355 (CRF D-1595E)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants :	Barany et al.	)	Examiner:
		)	P. Ponnaluri
Serial No. :	09/963,698	)	
		)	Art Unit:
Cnfrm. No. :	2018	)	1639
		)	
Filed :	September 26, 2001	)	
		)	
For :	DETECTION OF NUCLEIC ACID	)	
	SEQUENCE DIFFERENCES USING THE	)	
	LIGASE DETECTION REACTION WITH	)	
	ADDRESSABLE ARRAYS	)	

NOTICE OF APPEAL  
AND  
REQUEST FOR EXTENSION OF TIME FOR THIRD MONTH

**Mail Stop: AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Primary Examiner's decision dated March 9, 2005, finally rejecting claims 89-97, 109, 111, and 112.

Enclosed is a check to cover the \$500.00 cost of the appeal fee.

Applicants hereby request an additional extension of time of one month from the due date of June 9, 2005. A two-month extension of time fee (\$450.00) was submitted with the Amendment Under 37 CFR § 1.116 filed on August 9, 2005. The fee for a three-month extension of time is \$1,020.00. Accordingly, a check to cover the \$570.00 extension of time fee for the third month is enclosed (three-month extension of time fee minus amount paid for the two-month extension of time).

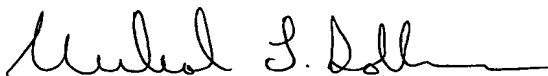
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09/13/2005 WADELRI 00000097 09963698  
01 FC:1401  
02 FC:1253  
500.00 DB  
570.00 DB

Please charge any additional fees which may be required or credit any overpayment to Deposit Account No. 14-1138. A duplicate copy of this form is attached.

Respectfully submitted,

Dated: September 8, 2005



Michael L. Goldman  
Registration No. 30,727

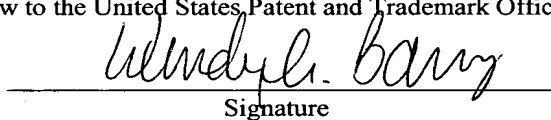
NIXON PEABODY LLP  
Clinton Square, P. O. Box 31051  
Rochester, New York 14603-1051  
Telephone: (585) 263-1304  
Facsimile: (585) 263-1600

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

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September 8, 2005  
Date

  
Signature

Wendy L. Barry  
Type or Print Name



# TRANSMITTAL FORM

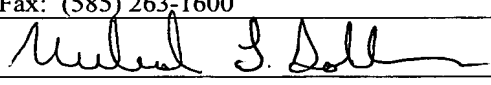
(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/963,698	
	Filing Date	September 26, 2001	
	First Named Inventor	Barany et al.	
	Group Art Unit	1639	
	Examiner Name	P. Ponnaluri	
Total Number of Pages in This Submission	2	Attorney Docket Number	19603/3355 (CRF D-1595E)

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply (\$ _____) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request (\$570.00) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement (\$ _____) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Notice to File Missing Parts/ Incomplete Application (\$ _____) <input type="checkbox"/> A copy of the Notice to File Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition (\$ _____) <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer (\$ _____) <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (\$500.00) (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input checked="" type="checkbox"/> A self-addressed, prepaid postcard for acknowledging receipt <input checked="" type="checkbox"/> Check in the amount of \$1070.00 <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael L. Goldman Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051 Telephone: (585) 263-1304 Fax: (585) 263-1600
Signature	 Registration No. 30,727
Date	September 8, 2005

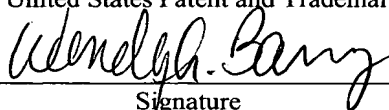
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September 8, 2005

Date



Signature

Wendy L. Barry

Typed or printed name